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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
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0480

September 15, 1997

**VIA HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

Re: PR Docket No. 92-257  
RM-7956, 8031, 8352

Dear Mr. Caton:

On behalf of Globe Wireless, we are filing an original and four (4) copies of its Comments in the above cited matters.

If there are any questions, do not hesitate to contact the undersigned.

Respectfully submitted,

FLETCHER, HEALD & HILDRETH, PLC

*Leonard Robert Raish*

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Counsel for Globe Wireless

LRR:cej  
Enclosures

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**Federal Communications Commission**

WASHINGTON, D.C. 20554

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SEP 15 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Amendment of the Commission's	)	PR Docket No. 92-257
Rules Concerning Maritime	)	RM-7956, 8031, 8352
Communications	)	

**COMMENTS BY GLOBE WIRELESS  
ON SECOND FURTHER NOTICE OF PROPOSED RULEMAKING**

Globe Wireless, through its attorneys, submits the Comments below in response to the Second Further Notice of Proposed Rulemaking ("Second Notice") in the above cited proceeding.

**I. GENERAL**

Globe Wireless is a California Corporation with its headquarters located in Half Moon Bay, California. It operates a high seas worldwide network of High Frequency (HF) telecommunications services in support of the maritime industry. These services are provided by Globe Wireless HF Coast stations at New Orleans, San Francisco, Hawaii, Guam, Chatham and Newfoundland, Canada, and pursuant to special arrangements, by HF Coast stations in other countries. Through its facilities and the use of most modern technologies, HF data, telex, facsimile, and electronics mail services are provided to ships at sea on a global basis.

**II. INTEREST OF GLOBE WIRELESS**

A substantial part of the Second Notice is devoted to issues other than high seas maritime communications. The principle interest of Globe Wireless in this

proceeding is in proposed provisions effecting high seas public coast stations capable of serving ships on a worldwide basis. As pointed out in the Second Notice, it is "essential for high seas public coast stations to obtain frequencies in several bands in order to provide communications services under constant changing conditions."<sup>1</sup>

### **III. ACTIONS RELATED TO WRC-97 MUST BE MUST BE TAKEN INTO ACCOUNT**

The Second Notice correctly reports the relationship of the international Radio Regulations to the use of high seas public coast station frequencies. The Second Notice points out distinct frequencies are set aside internationally for radiotelephone, radiotelegraph, NB-DP, and facsimile communications.<sup>2</sup> However, WRC-97 Agenda Item 1.6.5 proposes to add digital technology to the maritime HF radiotelephone bands. The U.S. proposals to WRC-97 not only support including digital technology to the HF radiotelephone bands but goes one step further to propose a footnote be added to S52.54 and S52.55 permitting the use of digital technology in the maritime HF radiotelegraph bands as well.<sup>3</sup> The U.S. proposal points out the HF radiotelegraph (described as AIA Morse telegraphy bands) are very lightly used and that it would be logical to permit the use of digital technology in these latter bands as well as in the HF radiotelephone bands. The results of WRC-97 will be available the last week of November 1997 and the Commission is urged to incorporate them in the

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<sup>1</sup>See Second Notice, Section B, para. 103.

<sup>2</sup>IBID para. 104.

<sup>3</sup>See U.S. proposals responding to WRC-97 Agenda Item 1.6.5 that were forwarded to the ITU by Document USWRC-97 dated 27 August 1997.

final rulemaking action of this proceeding.

#### **IV. ELIMINATION OF CHANNEL LOADING REQUIREMENTS IS CONCURRED IN**

Consistent with its decision to eliminate channel loading criteria for VHF public coast stations, the Second Notice proposes these requirements be amended to remove the showing required of a licensee to obtain additional HF maritime channels. The Commission's rationale for doing so is set forth succinctly and correctly.<sup>4</sup> Globe Wireless concurs.

Reference is made to construction requirements for high seas stations being retained but extended from eight months to twelve months. Globe Wireless concurs with this proposal and sees no serious problems, if any, being caused with regard to spectrum warehousing. In response to the specific question asked (para. 110(b)), rather than relax the load criteria, Globe Wireless suggests it be eliminated as the Commission has proposed; increasing the number of frequencies that may be obtained per application appears sensible as HF maritime communications is a mature industry. New technologies may require more than the traditional one frequency per band in order to be effective. Applicant's should be required to show that they are serving customers.

#### **V. USE OF AUCTIONS IS NOT REALISTIC IN HF MARITIME COMMUNICATIONS**

HF maritime communications operations are by their nature international in character with the basic applicable regulations being the Radio Regulations of the

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<sup>4</sup>See Second Notice, paras. 106 and 107.

ITU. HF public coast stations serve ships on the high seas essentially on worldwide basis. Adjustments and "cooperative" sharing of high frequencies to conduct operations in the "real world" is essential.

HF maritime frequencies are somewhat akin to the spectrum used for satellite communications. In this case, instead of a satellite it is a ship on the high seas. The international aspect is there. The Commission has not used auctions for satellite services and the same rationale should be applied to HF maritime communications.

#### **VI. SHARING OF MARITIME HF BANDS BELOW 27.5 MHz IS NOT SUPPORTED**

In the Second Notice (at paragraph 131(b)), the Commission asks the question should all of the HF bands below 27.5 MHz be shared with private coast stations. There is already a shortage of HF Public Coast station frequencies, not only in the 4 MHz band as the Commission points out, but it is also severe in the 6 and 8 MHz bands that are the most heavily used. Some sharing might be feasible in the 22 and 25/26 MHz bands. As a basic principle, Globe Wireless urges the Commission not to consider sharing of HF maritime public coast station frequencies.

#### **VII. CONCLUSIONS**

The Commission is urged to take the following conclusions into consideration as it proceeds from the Second Notice to Rulemaking:

- (a) Action with regard to the HF maritime bands should take into account the U.S. proposals responding to Agenda Item 1.6.5 at WRC-97.

- (b) Elimination of channel loading is concurred in but at the same time the Commission should require applicants to demonstrate they are actually providing service to ships at sea.
- (c) The use of auctions is not feasible due to the international character of HF maritime communications.
- (d) Sharing of maritime HF bands below 27.5 MHz is not supported.

Respectfully submitted,

GLOBE WIRELESS, INC.

By:   
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Its Attorney

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Date: September 15, 1997

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